

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

**O R D E R**

Before the Court is the Magistrate Judge's April 27, 2022, Report and Recommendation (Doc. 31), to which no party has filed objections.<sup>1</sup> After a careful review of the record,<sup>2</sup> the report and recommendation (Doc. 31) is **ADOPTED** as the Court's opinion in this case. Plaintiff's Motion for Attorney's Fees under the Equal Access to Justice Act ("EAJA") is **GRANTED IN PART**. (Doc. 28.) Plaintiff's requested attorney's fee award is **REDUCED** to \$4,319.38. Plaintiff

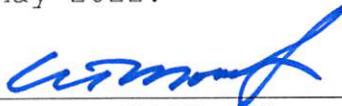
<sup>1</sup> Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Federal Rule of Civil Procedure 25(d), the Clerk of Court is **DIRECTED** to substitute Kilolo Kijakazi for Andrew Saul as the defendant in this suit.

<sup>2</sup> The Court reviews *de novo* a magistrate judge's findings to which a party objects, and the Court reviews for clear error the portions of a report and recommendation to which a party does not object. 28 U.S.C. § 636(b)(1); see *Merchant v. Nationwide Recovery Serv., Inc.*, 440 F. Supp. 3d 1369, 1371 (N.D. Ga. 2020) (citing *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006) (per curiam) (outlining the standard of review for report and recommendations)).

is also awarded \$20.85 in costs, for a total award of \$4,340.23 under the EAJA.

Upon the entry of this order, the Commissioner will determine whether Plaintiff owes a debt to the Government that qualifies under the Treasury Offset Program, 31 U.S.C. §§ 3711, 3716. If Plaintiff owes such a debt, the fee award will be applied towards that debt with any remaining funds remitted to Plaintiff. If Plaintiff does not owe such a debt, the Government may, in its discretion, accept Plaintiff's assignment of EAJA fees and pay the fees and costs directly to Plaintiff's counsel.

SO ORDERED this 18<sup>th</sup> day of May 2022.

  
WILLIAM T. MOORE, JR.  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA